

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 2:06-cr-219-WKW
)	
PHILLIP FOY)	

PETITION FOR WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO THE HONORABLE WALLACE CAPEL, JR., UNITED STATES
MAGISTRATE JUDGE:

Comes now the United States of America, by and through its Attorney for the Middle District of Alabama, and represents and shows unto the Court that there is pending in the United States District Court for the Middle District of Alabama an Indictment against Phillip Foy now in custody of Montgomery City Jail, Montgomery, Alabama, and that said cause is set for a hearing at Montgomery, Alabama, in this Honorable Court on December 18, 2006, at 1:00 p.m.

WHEREFORE, the United States Attorney prays that your Honor will direct the Clerk of this Court to issue a WRIT OF HABEAS CORPUS AD PROSEQUENDUM addressed to Montgomery City Jail, Montgomery, Alabama, commanding them to deliver said prisoner to any United States Marshal or Deputy United States Marshal and directing said Marshal or Deputy to bring said prisoner before this Honorable Court to be held at Montgomery, Alabama, on December 18, 2006, at 1:00 p.m.

Respectfully submitted this the 18th of December, 2006.

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

/s/ Susan R. Redmond
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CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Richard Keith.

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

/s/ Susan R. Redmond
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ORDER

Upon consideration of the motion for writ of habeas corpus ad prosequendum, filed December 18, 2006, and for good cause shown, it is

ORDERED that the motion is GRANTED. The Clerk of this Court is hereby DIRECTED to issue a WRIT of HABEAS CORPUS AD PROSEQUENDUM addressed to Montgomery City Jail, Montgomery, Alabama, commanding it to deliver Phillip Foy to any United States Marshal or Deputy United States Marshal, and directing said Marshal or Deputy to bring said prisoner before this court, to be held at Montgomery, Alabama, on December 18, 2006, at 1:00 pm, and to return the prisoner to said official when the court shall have finished with him.

DONE this the _____ day of December, 2006.

WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE